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*** PM HOT LIST ***

WATER WORLD The U.S. Environmental Protection Agency has announced its plan to assess how the hydraulic fracturing of underground formations may impact drinking water. And it set a schedule to develop standards for water produced along with natural gas from coalbed and shale formations. Congress had mandated EPA's study of hydraulic fracturing. This year the agency held a series of public meetings to receive input from interested parties. Also, the independent Science Advisory Board reviewed EPA's scientific approach. EPA will release its initial research results and study findings next year and deliver its final report in 2014. The study will examine the full cycle of water in hydraulic fracturing, from the acquisition of the water, through the mixing of chemicals and actual fracturing, to the post-fracturing stage, including its ultimate treatment and disposal. Earlier this year, EPA selected locations for five retrospective and two prospective case studies. The American Water Works Association applauded the study but Sen. James Inhofe (R-Okla.), senior Republican on the Environment and Public Works Committee, said EPA may be "cutting corners." "Even before the study was finalized, EPA was already collecting data samples at undisclosed fracking sites across the country. EPA should not have begun conducting the study without ensuring that the process is fully transparent, and in accordance with sound science," he said. Separately, EPA will develop the first national standards for wastewater produced along with natural gas. It said any water pretreatment standards would be based on economically achievable technologies. EPA Administrator Lisa Jackson said, "We can protect the health of American families and communities at the same time we ensure access to all of the important resources that make up our energy economy."

AGNET WASHINGTON – The U.S. Environmental Protection Agency's (EPA's) federal advisory committee on agricultural issues, the Farm, Ranch, and Rural Communities Committee (FRRCC), has submitted its report to the agency on agricultural and water quality issues. The report offers recommendations on the most effective approaches for dealing with water quality issues related to agricultural production and improving water quality across the United States. It also provides suggestions for increasing support for certainty programs, increasing stewardship, and coordinating resources with USDA, land grant universities, and the farm community to support a strong partnership effort. The report emphasizes the importance of trust and the value of state programs, flexibility, and voluntary conservation practices in achieving water quality goals. It notes the willingness that the agency has shown in maintaining and advancing an open dialogue with key stakeholders on how to address agricultural nonpoint source pollution as a critical first step.

BALTIMORE-SUN State officials have missed their first major deadline for complying with a three-year-old law calling for Maryland to curb its emissions of climate-altering greenhouse gases. Under the 2009 Greenhouse Gas Reduction Act, the [Department of the Environment](#) was required to give the governor and lawmakers a draft plan by the end of 2011 for scaling back statewide releases of carbon dioxide, methane and other climate-affecting gases 25 percent by the end of the decade. But Environment Secretary Robert M. Summers wrote Gov. Martin O'Malley and legislative leaders late last month that the draft plan would be "slightly delayed" until mid-February. The letter didn't offer any explanation for missing the deadline. MDE spokesman Jay Apperson, when asked about the delay, repeated statements from the letter that MDE had been working hard to draft the climate-action blueprint in collaboration with 10 other state agencies, and that the document is essentially finished but undergoing "interagency review." "It's a big job," Apperson said. "We want to make sure it's comprehensive. We want to make sure it's right." Summers' letter says the plan lays out 65 strategies which "if fully implemented, we are confident will achieve the greenhouse gas emission reductions required by law." Many of those are state and federal laws, regulations and programs already in place, such as the state's mandate to utilities to get 20 percent of their power from renewable sources by 2022 and the [Regional Greenhouse Gas Initiative](#), a regional collaboration among northeastern states to regulate carbon-dioxide emissions from power plants. In a nod to those worried that the effort could hurt the state's economy, lawmakers also required that the plan ensure no manufacturing job losses, a net increase in jobs overall and a net economic benefit to the state.

GANT DAILY (Friday) Department of Environmental Protection Secretary Mike Krancer urged the Protection Agency to dismiss a petition that the Clean Air Council filed with EPA in November 2011. The petition claimed that Pennsylvania is failing to implement requirements in its State Implementation Plan and asked EPA to impose sanctions on Pennsylvania. "This petition lacks merit and based on longstanding and documented facts in this matter, the EPA should promptly dismiss this," Krancer said in letter to EPA Administrator Lisa Jackson. "As the EPA and Clean Air Council are well aware, Pennsylvania is implementing and acting in full compliance with our latest state regulation of 2008. "The

latest State Implementation Plan (SIP) submittal of 2009, embodying that 2008 regulation, was submitted to EPA for its approval in April 2009, but has not yet been approved by EPA. This petition takes the bizarre position that Pennsylvania is guilty of not acting in conformance with a prior 1996 regulation that is no longer even on the books in Pennsylvania.”

Clock is ticking for power plant

ALLENTOWN MORNING CALL GenOn has a year to reduce sulfur dioxide emissions at Upper Mount Bethel facility. For two smokestacks in Northampton County, the clock started Friday. The Portland Generating Station, an aging coal power plant tucked along the Delaware River in Upper [Mount Bethel](#) Township, has changed little in the past 50 years. Cranking out a few hundred megawatts of power, the plant operated for decades with few pollution protections, with westerly winds sending plumes into New Jersey. By New Jersey's figures, the plant produces more sulfur dioxide than all power plants in the Garden State combined. A year from now, things could look very different. Because of a successful federal petition by New Jersey, the small power plant has until Jan. 7 to cut sulfur dioxide emissions by two-thirds. Within three years, emissions must be reduced 81 percent, or by 21,000 tons. Environmental activists hailed the ruling by the federal [Environmental Protection Agency](#) as a victory for clean air, helping several counties in New Jersey meet federal standards and reducing the risk of [asthma](#) and other lung diseases.

DEP head calls EPA knowledge of Dimock "rudimentary"

SCRANTON TIMES-DISPATCH“Federal regulators have only a "rudimentary" understanding of the facts and history of gas drilling's impact on water supplies in Dimock Twp., Pennsylvania's head environmental regulator wrote in a letter Thursday as the U.S. Environmental Protection Agency considered beginning its own sampling of tainted wells in the township. In the letter to EPA Region 3 Administrator Shawn Garvin, state Department of Environmental Protection Secretary Michael Krancer said his agency is ready to help the EPA get "up to speed" on the situation in Dimock since it is "clear that EPA is really at the very early stages of its learning curve" regarding the "technical facts" and "enforcement history" there. [Read the letter HERE](#). The letter was first posted on NPR's State Impact Pennsylvania website Monday night. It was sent to all members of the Pennsylvania Congressional delegation. Mr. Krancer cited the EPA's controversial preliminary finding linking fracking to contamination of Pavilion, Wyo. water supplies. "Suffice it to say that we hope that EPA's efforts here not be marked by the same rush to conclusions and other deficiencies here as it was and continues to be with respect to the Pavilion matter," he wrote. An EPA spokeswoman did not immediately return a request for comment Tuesday morning. systems or alternate water supplies. ... On Friday, several EPA officials called to arrange emergency deliveries of bulk water to several Dimock residents who were running out of supplies, then retracted the promise on Saturday. EPA spokeswoman Terri White said in a statement Monday: "We're actively reviewing the situation in Dimock and filling information gaps. We're evaluating next step including sampling some of the residences' well water. We have not made a decision to provide water at this time. As soon as we have more, we will announce it."

*** MORNING HOT LIST ***

Reopening Dimock water investigation, EPA may test wells

NEWSWORKS (WHYY) The U.S. Environmental Protection Agency is considering shipping fresh water to Dimock, Pa., where residents say hydraulic fracturing has been polluting their water. Citing newly discovered gaps in data, the federal agency has reopened its investigation into water quality in the Northeastern Pennsylvania town that has become ground zero for the argument over the effects of natural gas extraction. This comes about a month after the federal agency assured residents their water was uncontaminated. Dimock resident Craig Sautner said an EPA representative called his wife on Friday to say a private contractor would be delivering water to them. The next day, they got another call saying the water would not be coming. "Our heart just sank," Sautner said, "We're tired of this roller-coaster ride, we feel like we're getting ahead now, we're going to get some nice clean water, and then all of a sudden it gets pulled out from underneath us again." Two other Dimock residents told the Associated Press they got similar calls, but the EPA would not comment on them. The Sautners and other Dimock residents have had water delivered to their homes for more than two years. Drilling company Cabot Oil & Gas Corp. shipped drinking water until about a month ago, when the state DEP gave the company permission to stop. Since then, anti-drilling groups have paid for water delivery to about a dozen households. "We're evaluating next steps including sampling some of the residences' well water," wrote EPA spokesman David Sternberg in a statement. "We have not made a decision to provide water at this time." Meanwhile, state regulators just announced faulty natural gas wells also run by Cabot contaminated the water supplies of three other homes in Susquehanna County.

Krancer Strikes A Chilly Tone, In EPA Dimock Letter

STATE IMPACT PENNSYLVANIA“Ever since he took office, Department of Environmental Protection Secretary Michael Krancer has been wary of the federal Environmental Protection Agency. Again and again, he’s chided the EPA and other federal organizations for getting involved in issues he thinks should be regulated by Pennsylvania. Now, as the EPA weighs an effective override of a major DEP decision - delivering water to residents of Dimock, Susquehanna County, after the state told Cabot Oil and Gas it could stop providing potable fluids — Krancer has fired off another derisive letter. In a missive dated January 5, Krancer keeps a polite, civil tone, but makes it clear he thinks the EPA has no idea what it’s talking about, when it comes to methane migration in Dimock. “Based on my conversations with you it was clear the EPA is really at the very early stages of its learning curve with respect to Dimock,” he writes, calling the federal agency’s grasp of the facts, and DEP’s enforcement actions, “rudimentary.” Krancer goes on to question the EPA’s recent preliminary discovery of fracking fluid in a Wyoming aquifer. (*Read the full letter after the jump.*) The EPA is currently considering whether to deliver to residents of Dimock whose water has been contaminated by methane migration. Up until December, Cabot Oil and Gas had been providing water to the dozen families, in accordance with a legal agreement it had reached with DEP, under the Rendell Administration. In November, the department allowed Cabot to stop deliveries, after the company had fulfilled all its requirements. Here’s Krancer’s full letter: <http://stateimpact.npr.org/pennsylvania/2012/01/09/krancer-strikes-a-chilly-tone-in-epa-dimock-letter/>

Editorial: Economic Bonus From Bay Cleanup

LYNCHBURG NEWS AND ADVANCE“Cleanup of the Chesapeake Bay has the potential of creating thousands of jobs that would boost the economies of the states that share the once pristine body of water. That was the word last week from William C. Baker, president of the Chesapeake Bay Foundation. A report issued by the foundation concluded that storm water and sewage plant upgrades intended to help nurse the Bay back to health would create nearly 250,000 jobs.

The report is aimed at countering claims that restoration of the Bay by the Environmental Protection Agency would be harmful to the economy and result in job losses. “That is not borne out by the facts,” said Baker. He makes a good point that could be an essential ingredient in getting the work done to restore the Bay’s health. Referring to critics of the cleanup plans, Baker said, “Whether the target is EPA or the Bay pollution limits, it is essential that the public understand that environmental regulations will create jobs to reduce pollution, and sustain jobs that depend on clean water.” The report, called “Debunking the ‘Job Killer’ Myth,” uses a variety of industry experts such as engineers, reports and other sources to assess the impact of water pollution projects within the six states and the District of Columbia that comprise the Bay’s 64,000-square-mile watershed.

Flush tax raises stink at meeting of M.d. Association of Counties

EASTON STAR DEMOCRAT (M.d.) The art of civil debate of opposing viewpoints was demonstrated with a discussion of "Septic Systems: Policy, Planning and Problems," during a Thursday afternoon session of the annual Winter Conference of the Maryland Association of Counties, held last week at the Hyatt Regency Chesapeake Resort in Cambridge. Three members of Gov. Martin O'Malley's Task Force on Sustainable Growth & Wastewater Disposal Maryland Planning Secretary Richard Hall, Sen. David R. Brinkley, R-4, of Frederick County and Worcester County Environmental Programs Director Robert Mitchell discussed the group's final report, which was presented to the governor in December and can be found on state agency websites, including the Maryland Department of Planning website at mdp.state.md.us. The bulk of the final report -- nine of its 16 pages -- is devoted to task force recommendations, some of which are now being proposed as law through several bills to be considered during the upcoming session of the Maryland General Assembly. Among the proposals is an increased payment of \$90 per septic-served household by fiscal year 2015 to the Bay Restoration Fund. Often referred to as a "flush tax," the payment is currently at \$30 per household but could increase to \$60 by fiscal 2013. A four-tiered program for how septic systems are managed is also likely, according to Hall.

Obama addresses EPA staff on Tuesday, meets with Defense Secretary Leon Panetta

ASSOCIATED PRESS WASHINGTON — President Barack Obama will address the staff of the Environmental Protection Agency on Tuesday. The White House says the president wants to tell the EPA employees he appreciates their hard work. The president also will meet with his senior advisers in the morning and with Defense Secretary Leon Panetta in the afternoon.

PENNSYLVANIA

PHILADELPHIA INQUIRER

From Early Bird Editorial: [Grading Corbett's first year: No-tax pledge hurts state](#) With a first-year record like Gov. Corbett's, it's a good thing he still has three more years to go. Or maybe not. Another three years could give Corbett time to make some progress, at least, toward pressing issues facing the state - like fixing roads and bridges, or making natural-gas drillers pay their fair share. And finally levying a fair extraction tax on Marcellus Shale gas exploration while improving environmental oversight, as done in other drilling states. Both issues will require more leadership from the governor, especially since both could bring in additional revenue that might take some of the pressure off other areas of the state budget.

From Early Bird Blog: [Taking a Deeper Look at the Facts about Fracking](#) The struggle between private interests and the public's health is not a new one. As David Michael describes in *Doubt Is Their Product*, powerful industries have always invested substantial resources to hide the health risks associated with their products. It seems that the hydraulic fracturing, or "fracking," industry may be joining the likes of tobacco and soda companies in their efforts to obscure science, mince words, and bend facts to their liking. While doing research for [our post](#) on fracking chemical disclosure laws a few weeks back, we, [like others](#), found some interesting inconsistencies between the facts about hydrofracking as presented on industry websites and those provided by other reputable sources.

From Early Bird [Environmentalists oppose N.J. bid to put off limits on sewers](#) New Jersey legislators are likely to vote Monday on a measure that business groups say is vital for the economy but that environmental groups say would lead to rampant sprawl and a gusher of additional water pollution. The regional administrator for the U.S. Environmental Protection Agency has also weighed in, saying the legislation "could have significant adverse impacts on water quality in New Jersey." As the most densely populated state in the nation approaches build-out, the issue over what to do with the remaining land that has been neither conserved nor developed is getting ever more contentious. "It is a tension that is very real," said John Weingart, associate director of the Eagleton Institute of Politics at Rutgers University. "How much development should be allowed and where should it go, and what's best for the natural environment and for the economic well-being" of the state? The proposed legislation is yet one more facet of the debate, which apparently was raging Friday as interest groups stepped up their advocacy on the proposed measure. Two sponsors, one in the Senate and one in the Assembly, did not return calls seeking comment. Specifically, the bill would delay - yet again, by up to two years - limits on sewer service, a key ingredient of high-density development. As sewers accommodate development, they also attract more development. Since 2008, the state's counties have been working to meet a state requirement that they come up with new master plans showing where sewer lines could, and could not, go. Two deadlines have come and gone, and still no plans. "The complexity of the rules has made compliance . . . virtually impossible," said Larry Ragonese, spokesman for the state Department of Environmental Protection. "We're going into a bureaucratic logjam."

[Soapbox Monday: Are suburbs sustainable?](#)
(yesterday) Are the suburbs on the way out? Environmental advocates have long held that the single family home on a wide swath of lawn, far from public transportation, is unsustainable. But still, the builders kept building, and people kept buying. In Friday's paper, architecture critic Inga Saffron took up the question — not so much from the environmental perspective as from the marketplace/economic perspective. [She writes:](#) "The demise of the Great American Exurb was heralded this fall in a New York Times op-ed by University of Michigan planning professor Christopher B. Leinberger. He argues that 'a profound structural shift' has begun to reverse the residential patterns set in the 1950s. Cities are rising, while suburbs are going into decline." And she looks at a price analysis showing that "single-family houses in outer-ring suburbs ... are hemorrhaging value. Many now sell for less than their replacement cost. In contrast, urban housing has generally held its value during the bust. The priciest housing on the market can be found in cities and commuter suburbs."

6 ABC PHILADELPHIA

From Early Bird [Doctors call for temporary halt to fracking](#) WASHINGTON, D.C.; January 9, 2012 (WPVI) -- Gas drilling is making instant millionaires out of those fortunate enough to own property above the Marcellus Shale reserve. But a coalition of medical groups fear their health may suffer for it. The call came at a Washington conference sponsored by the non-profit Physicians Scientists and Engineers for Healthy Energy (PSE) and the Mid-Atlantic Center for Children's Health and the Environment. Fracking or hydrofracking involves the injection of high-pressure fluids into shale deep underground. It fractures the shale, releasing reserves of natural gas. They said there is a strong need for scientific and health information on the health impacts of fracking, and they called for creation of an independent foundation to seek answers. The doctors pointed to the recent earthquakes in eastern Ohio, which environmental experts blame on a fracking wastewater well too close to a known fault line. Dr. Adam Law, of the Weill Cornell Medical College said, "There are health care needs in various gas drilling communities and these must be met. The reality is that industry has not done nearly enough to finance the needed research effort." There's been no comment from the industry on the call for a moratorium.

PITTSBURGH POST-GAZETTE

From Early Bird [Power plants approved in Robinson, Washington County](#) Two side-by-side power plants, fueled by natural gas and waste coal, gained approval Monday night in Robinson, Washington County. Supervisors hinged approval of the Beech Hollow Energy Project on 55 conditions, including the developer paying thousands of dollars in annual fees to the township, following guidelines for fly ash placement and monitoring well water and air quality. Developers Robinson Power Co. and Champion Processing Inc. have 10 business days to agree to the provisions or township officials will reverse their vote. The \$538 million dual-plant project is expected to generate a total of 300 gross megawatts of electricity on 37 acres bounded by routes 22 and 980 and Candor and Beech Hollow roads, near the Allegheny County border.

From Early Bird [Polamalu Facebook post sets off fractious debate](#) Opinions fly after Steelers star suggests watching documentary on drilling. Troy Polamalu learned last month that there are topics even more controversial than the defense's performance in Sunday night's playoff game against the Denver Broncos. The Steelers strong safety maintains a popular Twitter and Facebook account that sends out movie recommendations every week, in between ticket raffle contests and aphorisms such as, "The greatest oak was once a little nut who held its ground." His movie pick in mid-December: "Gasland," a popular anti-drilling documentary that's fueled the "fracktivist" movement against gas development and the fracking technique used in the Marcellus Shale region. The post -- whether just another example of Mr. Polamalu's taste for controversial documentaries or an outright political statement -- thrust the popular Pittsburgher into one of the most fractious debates to hit the region in a while.

PITTSBURGH TRIBUNE REVIEW

From Early Bird [Court inaction on Fayette rules clouds drilling oversight](#) The drilling industry could challenge even more local governments' land-use laws now that the state Supreme Court has declined to hear a key case in the statewide controversy, industry officials involved in the case said Monday. But a state legislator perceives the decision as a victory that upholds local municipalities' control of drilling sites and conditions. The court's pass, which it issued Friday, ends the four-year-old case, industry lawyers said. It affirms a 2010 Commonwealth Court ruling that approved several Fayette County rules for well sites, including bans on having any within the flight path of airport runways or within 200 feet of homes. Penneco Oil Co., Range Resources and the Pennsylvania Independent Oil & Gas Association filed an appeal of the lower court ruling, hoping the state's highest court would clarify what rules municipal and county governments can apply to drilling.

[New law makes it easier to ditch used electronics](#) (Sunday) Now that the shiny new TVs and tablet computers are out of the boxes and in use, it's time to figure out what to do with the items they replaced. What can't be given away or stored for later use can be recycled, and that task is getting easier and cheaper for Pennsylvania consumers now that the first phase of the state's Covered Device Recycling Act has taken effect. Alan Boring said his aGreenSpan Computer Recycling Inc. in Sharpsburg used to charge \$5 to recycle a computer. A TV or monitor with a cathode ray tube cost more, because recycling them is more complex. But as of Jan. 1, there's been no charge. "This is going to be a tremendous benefit for the average citizen and small business person," Boring said. "Up to this point, anyone recycling things legitimately had to charge for it."

NEWSWORKS (WHYY)

From Early Bird [Reopening Dimock water investigation, EPA may test wells](#) The U.S. Environmental Protection Agency is considering shipping fresh water to Dimock, Pa., where residents say hydraulic fracturing has been polluting their water. Citing newly discovered gaps in data, the federal agency has reopened its investigation into water quality in the Northeastern Pennsylvania town that has become ground zero for the argument over the effects of natural gas extraction. This comes about a month after the federal agency assured residents their water was uncontaminated. Dimock resident Craig Sautner said an EPA representative called his wife on Friday to say a private contractor would be delivering water to them. The next day, they got another call saying the water would not be coming. "Our heart just sank," Sautner said, "We're tired of this roller-coaster ride, we feel like we're getting ahead now, we're going to get some nice clean water, and then all of a sudden it gets pulled out from underneath us again." Two other Dimock residents told the Associated Press they got similar calls, but the EPA would not comment on them. The Sautners and other Dimock residents have had water delivered to their homes for more than two years. Drilling company Cabot Oil & Gas Corp. shipped drinking water until about a month ago, when the state DEP gave the company permission to stop. Since then, anti-drilling groups have paid for water delivery to about a dozen households. "We're evaluating next steps including sampling some of the residences' well water," wrote EPA spokesman David Sternberg in a statement. "We have not made a decision to provide water at this time." Meanwhile, state regulators just announced faulty natural gas wells also run by Cabot contaminated the water supplies of three other homes in Susquehanna County.

[Mid-winter bird census 26 years and counting \(yesterday\)](#) Seeing is believing, but hearing will suffice for inclusion on Mike Weilbacher's list. Weilbacher is Executive Director of The Schuylkill Center, a Roxborough-based institute for environmental education. He's leading a group of bird-watchers -- birders, in parlance -- through the Center's 340 acres to participate in the 2012 Philadelphia Mid-Winter Bird Census. "A good number of birds stay here all year," says Weilbacher as he explains that, due to the absence of foliage, bird identification is much easier in the winter than the spring. Others, like the four white-bellied juncos that Weilbacher points to, are migratory birds from Canada and the Adirondacks that winter in Philadelphia. Auditory clues -- like the cheering of the nuthatch, the choo-chooing of the titmouse, and the honking sound of the red-bellied woodpecker -- suggest that even more species await counting

SCRANTON TIMES-TRIBUNE

From Early Bird [Editorial: Transparency part of true 'oversight'](#) State regulators - field inspectors for the Department of Environmental Protection - did their job last fall when they discovered that a faulty Susquehanna County gas well drilled

by Cabot Oil & Gas Corp. had caused methane to infiltrate at least three nearby water wells. Someone in the department failed miserably, however, by failing to inform the public of the serious violation until reporter Laura Legere of The Times-Tribune asked about it last week. The DEP issued a violation notice to Cabot on Sept. 19, but then violated its own policy by failing to include the violation in its eFACTS online compliance database or in its monthly gas and oil violations report. A DEP spokesman called that failure an "oversight," but the lack of transparency itself more properly should be termed a lack of oversight. During the period in which the DEP did not post the violation, it also had signed off on Cabot's controversial decision to stop delivering water to some Dimock, Susquehanna County, residents who contend that Cabot's gas drilling fouled their water supplies. Federal regulators have decided to take a new look at the Dimock well-contamination issue, re-examining the data that led Cabot to stop its water deliveries Dec. 1, with the state DEP's approval. The DEP should answer why it did not publicly reveal its evidence of a faulty well elsewhere in Susquehanna County at the same time it endorsed Cabot's decision in Dimock. DEP's oversight is crucial for the state to meet its constitutional mandate to ensure that Pennsylvanians have access to clean water. The "oversight" that precluded disclosure of information that is embarrassing to a gas driller is unacceptable.

DEP head calls EPA knowledge of Dimock "rudimentary" Federal regulators have only a "rudimentary" understanding of the facts and history of gas drilling's impact on water supplies in Dimock Twp., Pennsylvania's head environmental regulator wrote in a letter Thursday as the U.S. Environmental Protection Agency considered beginning its own sampling of tainted wells in the township. In the letter to EPA Region 3 Administrator Shawn Garvin, state Department of Environmental Protection Secretary Michael Krancer said his agency is ready to help the EPA get "up to speed" on the situation in Dimock since it is "clear that EPA is really at the very early stages of its learning curve" regarding the "technical facts" and "enforcement history" there. Read the letter HERE. The letter was first posted on NPR's StateImpact Pennsylvania website Monday night. It was sent to all members of the Pennsylvania Congressional delegation. Mr. Krancer cited the EPA's controversial preliminary finding linking fracking to contamination of Pavilion, Wyo. water supplies. "Suffice it to say that we hope that EPA's efforts here not be marked by the same rush to conclusions and other deficiencies here as it was and continues to be with respect to the Pavilion matter," he wrote. An EPA spokeswoman did not immediately return a request for comment Tuesday morning. systems or alternate water supplies. ... On Friday, several EPA officials called to arrange emergency deliveries of bulk water to several Dimock residents who were running out of supplies, then retracted the promise on Saturday. EPA spokeswoman Terri White said in a statement Monday: "We're actively reviewing the situation in Dimock and filling information gaps. We're evaluating next step including sampling some of the residences' well water. We have not made a decision to provide water at this time. As soon as we have more, we will announce it."

STATE IMPACT PENNSYLVANIA

From Early Bird EPA Still Evaluating Whether To Send Water To Dimock A spokesman for the Environmental Protection Agency tells WHYY’s Newsworks the EPA has “not made a decision” on whether or not to deliver water to residents of Dimock, Susquehanna County, whose water wells have been impacted by methane migration. “We’re evaluating next steps including sampling some of the residences’ well water,” spokesman David Sternberg told Newsworks in a statement. This weekend, the EPA announced plans to deliver water, but promptly changed its mind. Cabot Oil and Gas, who the state Department of Environmental Protection has charged with contaminating dozens of families’ water wells, had been delivering water to a handful of Dimock residents, in accordance with a legal agreement it signed with DEP. But when the company fulfilled its end of the deal by paying more than \$4 million to the affected families, the state agency told Cabot it no longer had to supply water. Deliveries stopped on December 1. According to StateImpact’s gas well-tracking app, Dimock has seen more drilling violations than any other municipality in Pennsylvania

From Early Bird Krancer Strikes A Chilly Tone, In EPA Dimock Letter Ever since he took office, Department of Environmental Protection Secretary Michael Krancer has been wary of the federal Environmental Protection Agency. Again and again, he’s chided the EPA and other federal organizations for getting involved in issues he thinks should be regulated by Pennsylvania. Now, as the EPA weighs an effective override of a major DEP decision - delivering water to residents of Dimock, Susquehanna County, after the state told Cabot Oil and Gas it could stop providing potable fluids — Krancer has fired off another derisive letter. In a missive dated January 5, Krancer keeps a polite, civil tone, but makes it clear he thinks the EPA has no idea what it’s talking about, when it comes to methane migration in Dimock. “Based on my conversations with you it was clear the EPA is really at the very early stages of its learning curve with respect to Dimock,” he writes, calling the federal agency’s grasp of the facts, and DEP’s enforcement actions, “rudimentary.” Krancer goes on to question the EPA’s recent preliminary discovery of fracking fluid in a Wyoming aquifer. *(Read the full letter after the jump.)* The EPA is currently considering whether to deliver to residents of Dimock whose water has been contaminated by methane migration. Up until December, Cabot Oil and Gas had been providing water to the dozen families, in accordance with a legal agreement it had reached with DEP, under the Rendell Administration. In November, the department allowed Cabot to stop deliveries, after the company had fulfilled all its requirements. Here’s Krancer’s full letter: <http://stateimpact.npr.org/pennsylvania/2012/01/09/krancer-strikes-a-chilly-tone-in-epa-dimock-letter/>

ERIE TIMES-NEWS

From Early Bird Project digs deep: North East Township homeowners unhappy about sewer workNORTH EAST -- Jim Snyder is among 325 residents who are required to connect to North East Township's public-sewer system this year and in 2013. Crews began preparation work Tuesday on his 2 acres at 11372 East Lake Road. Snyder said he and other residents estimate the cost for individual homeowners -- for sewer-line construction, tap-in fees and monthly fees -- at more than \$22,000. North East Township Supervisor Dennis Culver disagrees. "It's never been that much," he said. Township officials are requiring the sewer hookups to control discharge from private septic systems. "The idea of this project is not to chase people from their homes," Culver said. "The idea is to get municipal sewers to the homes along that lakefront." Snyder, 65, said he and other township homeowners will not pay for the project. "My existing septic tank works fine," said Snyder, who has lived at his home for 42 years. "I have no intention of giving the township any money. I won't give them a nickel. The only thing they can do is place a lien on your property." The sewer project is not state-mandated, Snyder said. "It's strictly a township-driven project," he said. The township has hired Greenland Construction Inc., of Clearfield, to handle the first phase of the project. "There are six different projects, and five projects have not been awarded contracts yet," Culver said. Culver said Greenland Construction has been contracted to install the main sewer lines. He said the company will be awarded contracts on three of the five remaining projects.

YORK DAILY RECORD

From Early Bird York County might get gas lineYork, PA - While it has not finalized an exact route, Tulsa, Okla.-based Williams plans to stretch a natural gas pipeline through York County that will end at a compressor station in Peach Bottom Township. In November, the company, under its Transcontinental Gas Pipe Line Co. subsidiary, filed a preliminary plan with federal regulators that calls for the roughly 260-mile line to run from a processing plant in West Virginia to Transco's local station. Built in 1960, that station moves natural gas through an existing pipeline that extends from the Gulf of Mexico to New York. Should the Federal Energy Regulatory Commission sign off on the plan and pending other approvals, construction could start late next year, said Chris Stockton, a spokesman for Williams. At that pace, the line would be in service by December 2014. "That's a very aggressive schedule," Stockton said. As for the exact route the line eventually could take, that information would be included in a formal application to FERC set to be made later this year, he said. Also, as part of that application, Transco will run field surveys in areas along multiple proposed routes to check for wetlands, cultural resources and other issues, according to the company's most recent filing. Overall, a majority of the line will run adjacent to or within existing rights-of way. In addition, the company will host public meetings this spring that will become part of the final application, Stockton said. When completed, Transco's proposed line is expected to cost in excess of \$1 billion, a tab that will be picked up by the customers and users of the line, Stockton said. Currently, company

officials are speaking with natural gas suppliers and utilities to guage the level of interest in the project, Stockton said.

ASSOCIATED PRESS (Pa.)

From Early Bird Report: Pennsylvania DEP undercounted number of gas-producing wells from Marcellus Shale

PITTSBURGH — Pennsylvania's Department of Environmental Protection undercounted the number of wells producing gas from the Marcellus Shale, frustrating industry, environmental groups, and elected officials, according to a newspaper report. The Pittsburgh Post-Gazette reported that an analysis of DEP data found 495 more wells producing gas, or ready to produce gas, than the DEP has recorded as ever being drilled, and that 182 of those wells don't even show up on the state's Marcellus Shale permit list. The discrepancies with DEP's Marcellus Shale data have caused headaches for Senate and House staff members who have been trying to make accurate projections about how much revenue an impact fee on wells might generate for local governments, the newspaper reported Sunday. "There has been a frustration over the last six or seven months that DEP does not have information that is always beyond reproach," said Drew Crompton, chief of staff to Senate President Pro Tem Joe Scarnati, R-Jefferson. Crompton, who has tried to make sense of DEP's data as the Senate began crafting an impact fee bill last year, said the information problems are so befuddling that it helped delay approval of the bill. Legislators simply haven't been able to get accurate projections on the financial impact.

PI NERI CHLANDPATCH

Former Pittsburgh Cut Flower Co. Property in Richland Could Become Solar farm\

Allegheny Land Trust plans to transform blighted property into green space. The deteriorating 180-acre property that once housed Pittsburgh Cut Flower in Richland Township could be transformed from an eyesore into a solar farm and green space if a nonprofit's plans become reality. Allegheny Land Trust is in negotiations to buy the land at 4136 Bakerstown Road/Red Belt on the northwestern part of Richland Township. The land is owned by Florida-based Legacy Landings LLC. "It is a complex project with all the issues that are out there," said Roy Kraynyk, executive director of the trust. Those issues include 10 acres of greenhouses that have been neglected since the company closed the operation 22 years ago.

GANT DAILY

DEP Urges EPA to Dismiss Petition from Clean Air Council. (Friday) Department of Environmental Protection Secretary Mike Krancer urged the Protection Agency to dismiss a petition that the Clean Air Council filed with EPA in November 2011. The petition claimed that Pennsylvania is failing to implement requirements in its State Implementation Plan and asked EPA to impose sanctions on Pennsylvania. "This petition lacks merit and based on longstanding and documented facts in this matter, the EPA should promptly dismiss this," Krancer said in letter to EPA Administrator Lisa Jackson. "As the EPA and Clean Air Council are well aware, Pennsylvania is implementing and acting in full compliance with our latest state regulation of 2008. "The latest State Implementation Plan (SIP) submittal of 2009, embodying that 2008 regulation, was submitted to EPA for its approval in April 2009, but has not yet been approved by EPA. This petition takes the bizarre position that Pennsylvania is guilty of not acting in conformance with a prior 1996 regulation that is no longer even on the books in Pennsylvania."

Letter: Speak Up Now for Clean Cars As a recent college graduate trying to balance my rent and utilities bills while making my college loan payments, it is difficult to add the extra stress of constantly increasing gas prices ("Gas prices rise across PA" January 2, 2012). That is why I am excited by the possibility to save billions of dollars at the gas pump every year while cutting our addiction to oil and global warming pollution. The Obama administration, the Environmental Protection Agency, and the Department of Transportation have done just that by proposing new pollution and fuel efficiency standards that would rise the miles per gallon to 54.5 by the year 2025. These standards will be the largest step the U.S. has ever taken to get off oil and will save money each year for Pennsylvania families. I am encouraging my family and friends, as well as all Pennsylvanians, to make their voices heard in support of strong clean car standards and submit a public comment to a-and-r-Docket@epa.gov (include "Docket ID No. EPA-HQ-OAR-2010-0799" in the subject line). Let's start off the New Year right by supporting these standards, so we can put a little more pork and sauerkraut on the dinner table in New Years to come instead of dishing out more money at the gas pump.

ALLENTOWN MORNING CALL

Clock is ticking for power plant GenOn has a year to reduce sulfur dioxide emissions at Upper Mount Bethel facility. For two smokestacks in Northampton County, the clock started Friday. The Portland Generating Station, an aging coal power plant tucked along the Delaware River in Upper Mount Bethel Township, has changed little in the past 50 years. Cranking out a few hundred megawatts of power, the plant operated for decades with few pollution protections, with westerly winds sending plumes into New Jersey. By New Jersey's figures, the plant produces more sulfur dioxide than all power plants in the Garden State combined. A year from now, things could look very different. Because of a successful federal petition by New Jersey, the small power plant has until Jan. 7 to cut sulfur dioxide emissions by two-thirds. Within three years, emissions must be reduced 81 percent, or by 21,000 tons. Environmental activists hailed the ruling by the federal Environmental Protection Agency as a victory for clean air, helping several counties in New Jersey meet federal standards and reducing the risk of asthma and other lung diseases.

WASHINGTON, D.C.

WASHINGTON POST

From Early Bird High court examines wetlands claim Conservative members of the Supreme Court seemed outraged Monday by the Environmental Protection Agency's actions in a four-year battle with an Idaho couple who want to build a house on land the EPA says contains sensitive wetlands. Justices across the ideological spectrum appeared troubled by the EPA's position that Mike and Chantell Sackett do not have the right to go court to challenge the agency's wetlands decision. But some justices got more worked up about the case than others, and Justice Samuel A. Alito Jr. led the parade. "If you related the facts of this case . . . to an ordinary homeowner, don't you think most ordinary homeowners would say this kind of thing can't happen in the United States?" Alito asked Deputy Solicitor General Malcolm L. Stewart, who was representing the EPA. The Sacketts wanted to build a home on a 0.63-acre lot near Priest Lake in the Idaho panhandle that they bought for \$23,000. But after three days of bringing in fill dirt and preparing for construction in 2007, officials from the EPA and the U.S. Army Corps of Engineers ordered the activity stopped and said they suspected the land contained wetlands. Months later, the agency sent the Sacketts a "compliance order" that said the land must be restored as a wetlands before the couple could apply for a building permit. The government acknowledged Monday that fines for failure to

comply with the orders could be as much as \$75,000 a day. The question for the justices is whether the couple had the right at that point to appear before a judge and contest the agency’s contention that their land contained wetlands subject to the Clean Water Act.

From Early Bird [White House changing fed evaluations](#) (Jan. 5) Obama team altering appraisal system for top-level civil servants. Performance appraisal systems aren’t as exciting as listening to cereal go snap, crackle and pop, but they can have a big impact on the way federal employees work, how efficiently agencies operate and ultimately how well the public is served. With that in mind, the Obama administration is launching a new appraisal system for the government’s top-level civil servants, those in the Senior Executive Service. The idea is to replace an evaluation process that varies from agency to agency with one that has greater consistency across government.

From Early Bird [Ocoquan fears nearby development could bring more flooding](#) The torrential downpour in September brought by Tropical Storm Lee turned quickly into a perilous situation for the town of Ocoquan. Residents saw water gushing from Tanyard Hill Road into the town’s center, carrying garbage, debris and tree trunks along the way. It is lucky, they say, that no one was seriously hurt and that damage was minimal. Because the town sits on the Ocoquan River, it has had its share of floods and scares in the past. But September’s inundation wasn’t caused by the river but by a relatively small creek called Ballywhack that overwhelmed an area culvert, flooded back yards and ran down the hill toward the town. It was a stark reminder of the perils the town faces when managing the storm water system, which has been an issue for years — and it speaks at least partly to why town officials and residents are afraid that a proposed nearby development, Oaks III, could further imperil the town. The Prince William Board of County Supervisors is scheduled to take up the issue Tuesday.

WASHINGTON EXAMINER

From Early Bird [Higher taxes, social issues, environment on tap in Md. session](#) The Maryland General Assembly will reconvene for its 2012 session Wednesday, a 90-day stretch expected to produce higher taxes, spirited debates on social issues and a clear benchmark on which to assess Gov. Martin O'Malley's national political ambitions. State officials are bracing for a busier legislative haul than last year, when a debate over gay marriage largely overshadowed the entire session. Still facing a down economy -- and with O'Malley eager to build his name brand -- the second year of the political term is ripe for a flurry of activity, as it's still distant enough from election season to grant politicians cover for unpopular decisions. Here's what is on tap: O'Malley will push lawmakers to kickstart transportation and school construction projects, and is expected to propose paying for the surge in infrastructure by raising the state's 23.5-cents-per-gallon tax on gasoline. In Annapolis on Tuesday, O'Malley will propose more than \$350 million in school construction projects next fiscal year -- nearly the most in state history for such funding. Plans are in the works to triple the state's so-called "flush tax" from \$30 annually to help pay for sewage upgrades capable of meeting federal environmental standards for the Chesapeake Bay. O'Malley also is weighing tax increases on millionaires and corporations. And Internet sales and cigars, among other consumer products, could get pricier under the governor's proposed budget. The governor will renew his bid for offshore-wind power, which was his largest legislative defeat last year when lawmakers became skittish about passing the cost on to ratepayers.

DELAWARE

WILMINGTON NEWS JOURNAL

From Early Bird [Letter: A lot of government expense for a few turtles](#) Regarding Friday's story, let me get this right; of the 202 sea turtle hatchlings, 190 were found not viable, seven were released, four died and one remains in the care of biologists in North Carolina. ("Lewes-hatched sea turtles released off North Carolina"). These eight turtles had the support of the Marine Education, Research and Rehabilitation, the University of Delaware and our federal and North Carolina partners. These eggs were moved to a climate-controlled lab at the University of Delaware's College of Earth, Ocean and Environment and then transported down to North Carolina. I don't what to sound unsympathetic, but I always thought that nature worked according to the "survival of the fittest" mentality. Although it's a shame that storms pushed these turtles to the shore of Cape Henlopen, it seems a lot of our taxpayer money was spent for this initiative.

CAPE GAZETTE

From Early Bird [January is National Radon Action Month](#) January is National Radon Action Month. Delaware's Division of Public Health encourages Delawareans to test their homes for radon. The test is generally easiest and most effective in cooler-weather months when houses tend to be closed up for warmth. Radon is an invisible, odorless, tasteless and radioactive gas that occurs naturally in rocks and soils throughout the world and seeps into homes through foundation cracks. It can reach harmful levels if trapped indoors. This gas may be found in older homes and buildings and in newer ones as well. In fact, since newer homes are more airtight than older ones, they often allow higher concentrations of radon to accumulate. According to both the U.S. Environmental Protection Agency and the American Lung Association, radon is the No. 1 cause of lung cancer among nonsmokers and an important national public health issue. Radon is responsible for about 21,000 lung cancer deaths every year. Nearly 2,900 of these deaths occur among people who have never smoked. In Delaware, nearly 12 percent of homes show elevated radon levels. Levels above 4 pCi/L (picocuries per liter) are considered to be elevated. Homes with basements and those located in areas where the bedrock is close to the surface are more likely to have elevated radon. Therefore, elevated radon is more likely in the northern portion of the state and least likely in the southern coastal areas. However, any home can have elevated radon, and testing is the only way to know for sure. [Baby turtles captivate Cape Region](#) What is it about tiny creatures that sparks instant appeal? Is there any way to explain why literally a dozen people dedicated hundreds of hours to rescuing a clutch of green turtle eggs that experts say would never have hatched without human help? Was the mother lost? What brought her to Cape Henlopen State Park back in August, when she became the first green turtle known to have laid eggs in Delaware? Whatever it was, Suzanne Thurman, a local animal rehabilitation expert, said the eggs had “zero chance of survival where she laid them.” But that is where human fascination with helpless creatures seems to kick in. The eggs were moved, not once but twice. As air temperatures cooled, volunteers moved them to incubators – and then took turns monitoring them and adjusting the temperature to mimic night and day. Months later, in December, eight baby turtles crawled out of their eggs. Getting the baby turtles to hatch did not end this rescue; the tiny turtles were next taken to North Carolina, where they learned to swim while waiting for a boat ride out to the Gulf Stream. Some will say the hours devoted to this project is a ridiculous waste of time for a few baby turtles that could well have perished moments after their release. Yet it’s not only volunteers who spent their time; their story was read more than 5,400 times on the Cape Gazette website, which doesn’t even count those who read the paper – and that count begins only in December when the baby turtles finally hatched

WEST VIRGINIA

CHARLESTON GAZETTE

From Early Bird Manchin backs oil pipeline in kickoff of W.Va. tour ST. ALBANS, W.Va. -- Sen. Joe Manchin, D.W.Va., opened his latest two-week tour around the state by hosting a coffee hour with local residents and officeholders. In response to a question at the get-together at Shoney's restaurant in St. Albans, Manchin said he hopes the federal government allows construction of the new Keystone XL pipeline system to import oil from Canada's rich oil sands in northern Alberta. "Canada is not going to stop refining oil," Manchin said. "They are going to sell it to someone. We are addicted to oil. But if we buy it, should we buy it from our friends or our enemies?" Many environmental groups, such as the Sierra Club, believe the proposed 1,700-mile pipeline -- from Alberta through the Midwest down to the South -- would endanger land, climate and water resources. Jim DeCarlo Jr., a retiree with a Purple Heart from World War II who lives in St. Albans, said he hopes the pipeline is built. "We may not have benefits for a few years. But we won't have anything unless we do something new," DeCarlo, 75, said after the program. Manchin criticized the federal government for failing to spend more money on construction projects. "I've always believed that infrastructure is the catalyst that moves the economy," he said. Manchin and a couple of state labor leaders disagreed over the need to extend unemployment benefits. "We have people who worked in plants for many years who have lost their jobs. They need to get training for something new," said Elaine Harris, the state's international representative for the Communication Workers of America.

From Early Bird Alpha fights to block health studies from permit lawsuit CHARLESTON, W.Va. -- Lawyers for Alpha Natural Resources are trying to keep testimony about West Virginia University studies linking mountaintop removal to birth defects and cancer among coalfield residents out of a legal challenge to one of the company's new mining permits. Alpha lawyers want U.S. District Judge Robert C. Chambers to deny a request by the Ohio Valley Environmental Coalition to include the studies in its lawsuit over the Reylas Surface Mine, proposed by Alpha subsidiary Highland Mining. The coalition and other groups are asking to add a claim about potential human health impacts to a suit that challenges a Clean Water Act permit the U.S. Army Corps of Engineers issued for the 235-acre mine proposed for Logan County. Environmental group lawyers cited three studies co-authored by WVU researcher Michael Hendryx that found generally higher rates of health problems, and specifically higher rates of cancer and birth defects, among residents living near mountaintop removal operations in Appalachia. The three papers are among a series of 20 peer-reviewed studies Hendryx and various co-authors have published examining possible links between mountaintop removal and various illnesses. Collectively, the papers have given weight to citizen complaints about coal's impact on public health. Anti-mountaintop removal activists point to the research to show that the issue isn't just about mining's effects on salamanders, mayflies or isolated mountain streams. "The three studies cited by plaintiffs present a seriously different picture of the impacts of mountaintop mining on human health than what the corps found," environmental group lawyers Joe Lovett and Derek Teaney wrote in one court filing. "The corps found that 'no human health effects are anticipated as a result of the' proposed project, while these three studies found an increase in unhealthy days and birth defects and a potential doubling of cancer risk." Lovett and Teaney asked Chambers to order the corps to conduct a new permit analysis that includes an examination of the WVU studies and what they might mean for communities near the Reylas mine site.

From Early Bird Rand residents hear results of WVU energy audit RAND, W.Va. -- Janie Hamilton, executive director of Kanawha Valley Senior Services, said small and gradual changes are necessary for big advances for the Rand Community Center, which has been plagued by high utility costs and an aging infrastructure. A team from West Virginia University's Industrial Assessment Center presented the findings of an energy audit Monday night to about 40 local residents at the community center. The team, directed by Dr. Bhaskaran Gopalakrishnan, conducted an assessment of the center's energy needs in November. Gopalakrishnan presented seven recommendations Monday that could save, in total, about \$4,000 a year on the center's natural gas, electricity, water and other utilities. Rev. Robert Hairston, president of the center, said the building is about 80 years old. The building was converted from a high school in 2001 to a center that benefits the local community. One of the center's biggest uses is to facilitate programs through Kanawha Valley Senior Services, such as meal and nutritional programs, to benefit Rand's aging community. However, the center has trouble bringing in other programs because funding is directed to energy costs. Nearly \$14,000 is spent on energy bills every year, he said.

Blog: Will Tomblin, Legislature fix mine cleanup fund? Ry Rivard has an important story at the top of the front page of today's Daily Mail, reporting: *Coal companies should pay more to help clean up forsaken mine sites in West Virginia, the board overseeing state mine reclamation money said Monday. The state Department of Environmental Protection's Special Reclamation Advisory Council voted unanimously to recommend the state nearly double a mine reclamation tax on coal companies.* The story continues:

ASSOCIATED PRESS (W. Va.)

From Early Bird Federal mining, land offices to seek input on consolidation plan CHARLESTON, W.Va. -- Federal officials want to hear from stakeholders on the proposed consolidation of the Office of Surface Mining and the Bureau of Land Management. The agencies are holding meetings with stakeholders around the country this month on the proposal. The first meeting is set for Jan. 17 in St. Louis. Other meetings are scheduled Jan. 18 in Washington, Pa., Jan. 19 in Charleston, W.Va., Jan. 20 in Knoxville, Tenn., Jan. 23 in Billings, Mont., Jan. 24 in Denver, Jan. 25 in Flagstaff, Ariz., Jan. 26 in Window Rock, Ariz., and Jan. 30 in Washington, D.C

W. Va. program collects Christmas trees for use for fish habitats
CHARLESTON, W.Va. — West Virginia's environmental agency has collected piles of discarded Christmas trees and is tossing them in state lakes to provide habitat for fish. The Department of Environmental Protection's Rehabilitation Environmental Action Plan gathered up hundreds of evergreens at a weekend event at the Capitol Market in Charleston. The collection program is in its seventh year.

WEST VIRGINIA STATE JOURNAL

Legislative audit suggests internal DEP auditor The West Virginia Legislative Auditor's office believes the West Virginia Department of Environmental Protection is in desperate need of an internal auditor. The DEP was one of several organizations audited this year and reported on Monday by the state auditor's office. The DEP disputed several parts of the Legislature's audit, causing the legislative interim committee to delay any action until next month. "There's disagreement on almost every finding," House Speaker Rick Thompson said. "I don't think I've seen in my six years this many disagreements." Legislative Auditor Aaron Allred said all his office can do is report its findings to the Legislature. "Their database ... is not sufficient," Allred said. "I truly believe the first step for DEP is for DEP to have an internal auditor.

CHARLESTON DAILY MAIL

[Board pushes coal tax increase](#)

CHARLESTON, W.Va. - Coal companies should pay more to help clean up forsaken mine sites in West Virginia, the board overseeing state mine reclamation money said Monday. The state Department of Environmental Protection's Special Reclamation Advisory Council voted unanimously to recommend the state nearly double a mine reclamation tax on coal companies. The morning vote came shortly before the Legislative Auditor's Office released a damning report on DEP's mine reclamation program. The 134-page audit said West Virginia taxpayers could be on the hook for "immense amounts of monies" to clean up mine sites because of poor accounting and oversight by the DEP. Legislative Auditor Aaron Allred said these liabilities could total hundreds of millions of dollars. DEP officials contested 10 of the auditors' 12 findings, saying auditors did not fully understand the program or that the auditors blamed the agency for situations created by state law rather than the DEP itself.

MARYLAND

BALTIMORE SUN

[From Early Bird Blog: County's new storm water manager faces daunting challenges](#) After 27 years working in Montgomery County's Department of Environmental Protection, Jim Caldwell left to try something new, taking a management-level job in 2007 at a manufacturing facility for gelato ingredients. "What I found is I kind of didn't have a passion for gelato like some people do," Caldwell said in a recent interview. "I like local government." Last year, after spending two years running his own environmental consulting business, Caldwell, 57, got the chance to return to local government — this time in Howard, his home county. Caldwell, a longtime Mt. Airy resident, had been serving on the county's Environmental Sustainability Board when Josh Feldmark, director of the county's Office of Sustainability told him about a new position the county had created to manage the county's efforts to combat storm water runoff. Caldwell applied for the job, and was chosen from among some 60 applicants. He began the \$72,000-a-year job Oct. 24. "He understands the issue of storm water as well if not better than anybody I've ever met, including myself," Feldmark said.

[Maryland misses deadline for climate action plan](#)

State officials have missed their first major deadline for complying with a three-year-old law calling for Maryland to curb its emissions of climate-altering greenhouse gases. Under the 2009 Greenhouse Gas Reduction Act, the [Department of the Environment](#) was required to give the governor and lawmakers a draft plan by the end of 2011 for scaling back statewide releases of carbon dioxide, methane and other climate-affecting gases 25 percent by the end of the decade. But Environment Secretary Robert M. Summers wrote Gov. Martin O'Malley and legislative leaders late last month that the draft plan would be "slightly delayed" until mid-February. The letter didn't offer any explanation for missing the deadline. MDE spokesman Jay Apperson, when asked about the delay, repeated statements from the letter that MDE had been working hard to draft the climate-action blueprint in collaboration with 10 other state agencies, and that the document is essentially finished but undergoing "interagency review." "It's a big job," Apperson said. "We want to make sure it's comprehensive. We want to make sure it's right." Summers letter says the plan lays out 65 strategies which "if fully implemented, we are confident will achieve the greenhouse gas emission reductions required by law." Many of those are state and federal laws, regulations and programs already in place, such as the state's mandate to utilities to get 20 percent of their power from renewable sources by 2022 and the [Regional Greenhouse Gas Initiative](#), a regional collaboration among northeastern states to regulate carbon-dioxide emissions from power plants. In a nod to those worried that the effort could hurt the state's economy, lawmakers also required that the plan ensure no manufacturing job losses, a net increase in jobs overall and a net economic benefit to the state.

FREDERICK NEWS POST

[From Early Bird State likely to debate gas tax hike](#) A proposed bump in the gas and flush taxes and new regulations for septic systems are a few of the hot-button issues that could await Frederick County legislators as they head to Annapolis on Wednesday. The 2012 meeting of the Maryland General Assembly will likely be particularly important for rural counties, some lawmakers say. In the lead-up to the start of the 90-day session, Frederick County lawmakers voiced concern about some of the bills and policies that could hit agricultural communities hard. "I look upon this session as probably one of the most significant of my 25 in Annapolis," said Delegate Donald Elliott, a Republican representing District 4B. Legislation that curbs septic system use could slow down development in areas far from public water and sewer systems. Elliott said he is worried these laws would strip local officials of some power over growth in their counties. In November, a task force advised the governor and general assembly to avoid a one-size-fits-all approach to septic legislation.

[Being AWARE](#) A coalition of Maryland's rural and agricultural counties is in the process of forming. The genesis of the organization took place in December, when Maryland's four western counties -- Frederick, Washington, Allegany and Garrett -- created the Maryland Rural Counties Coalition. Each county contributed \$5,000 so that the group could hire two lobbyists to make certain that its concerns were not lost during the 2012 session of the General Assembly, which begins Wednesday. But recently, the coalition began to think a little bigger, realizing that there were other counties in Maryland that likely shared their concerns, counties such as St. Mary's, Dorchester and Calvert. Plan B is to form a new, larger coalition called AWARE, for Association of Western, Agricultural, Rural, Eastern Shore Counties. These counties share a number of common concerns about how the actions of the governor and General Assembly are affecting them. Proposed restrictions on septic systems, land-use concerns associated with Plan Maryland, and financially onerous requirements involving the Chesapeake Bay watershed are among them.

EASTON STAR DEMOCRAT

[From Early Bird Flush tax raises stink at meeting of Md. Association of Counties](#) The art of civil debate of opposing viewpoints was demonstrated with a discussion of "Septic Systems: Policy, Planning and Problems," during a Thursday afternoon session of the annual Winter Conference of the Maryland Association of Counties, held last week at the Hyatt Regency Chesapeake Resort in Cambridge. Three members of Gov. Martin O'Malley's Task Force on Sustainable Growth & Wastewater Disposal Maryland Planning Secretary Richard Hall, Sen. David R. Brinkley, R-4, of Frederick County and Worcester County Environmental Programs Director Robert Mitchell discussed the group's final report, which was presented to the governor in December and can be found on state agency websites, including the Maryland Department of Planning website at [mdp.state.md.us](#). The bulk of the final report -- nine of its 16 pages -- is devoted to task force recommendations, a

some of which are now being proposed as law through several bills to be considered during the upcoming session of the Maryland General Assembly. Among the proposals is an increased payment of \$90 per septic-served household by fiscal year 2015 to the Bay Restoration Fund. Often referred to as a "flush tax," the payment is currently at \$30 per household but could increase to \$60 by fiscal 2013. A four-tiered program for how septic systems are managed is also likely, according to Hall.

CUMBERLAND TIMES-NEWS

From Early Bird Local and state farm bureaus fight against 'war' on agriculture CUMBERLAND — Farmers just want to farm, like many of their families have for generations. The economic realities make farming tough enough, and now the government is pushing many family farmers to the brink. That's the message of the Allegany County Farm Bureau. It's a message joined in by the state organization. "The war on Maryland agriculture is quite real. ... Just keep us in business; we like what we're doing and we want to keep doing it," area farmer Jack Miltenberger told state legislators recently. Miltenberger serves as president of the Allegany County Farm Bureau. Nutrient management programs and regulations hit farmers hard, although things could be worse, Miltenberger said. That's because agriculture causes only a small percentage of the pollution entering the Chesapeake Bay, Miltenberger said. At first, the Maryland Department of Agriculture came up with such strict standards that the outcry from farmers and their allies caused the department to back off and revise the guidelines, Miltenberger said. "If enacted, it would certainly have put a lot of farmers out of business," Miltenberger said. Miltenberger asked legislators to work toward freezing the nutrient management numbers for farmers at their current levels. The regulations are "ridiculous," Miltenberger said. Sen. George Edwards emphasized the local delegation's support for agriculture and said it would do the best it could to limit state pressure on agriculture. The farm regulations are part of the Chesapeake Bay pollution diet, which is based on total maximum daily loads. TMDLs are "an estimate of the maximum amount of an impairing substance or stressor (pollutant) that a water body can assimilate without violating water quality standards," according to the Maryland Department of the Environment.

SALISBURY TIMES

Marina to be decided in court FENWICK ISLAND -- The Delaware Environmental Appeals Board has determined that the fate of a controversial 24-slip marina in Little Assawoman Bay should be handled in a court of law. John Sergovic, the attorney for Lighthouse Cove Investors LLC, filed the appeal soon after Secretary Collin O'Mara of the Delaware Department of Natural Resources and Environmental Control issued an order in January that authorized the Lighthouse View Condominium Association to build the marina. The question in front of the EPA at the Nov. 8 hearing was whether or not they had jurisdiction to render a decision on the matter, said Stephanie Hansen, an attorney for the condo association. DNREC believed it was a property dispute and should be decided in Superior Court or the Court of Chancery, not in front of the EPA, and the appeals board agreed, she said. The EPA has 90 days to release its written decision on the matter. Then, there will be a 30-day appeal period when either side can decide if they want to appeal that decision, Hansen said.

ASSOCIATED PRESS (Md.)

Study Makes Recommendations on Marcellus Shale ANNAPOLIS, Md. -- ANNAPOLIS, Md. (AP) A Maryland panel recommended in a report on Monday that the General Assembly impose a fee on gas leases in the Marcellus Shale to fund studies about the impact of drilling in far western Maryland. The report, the first of three, also recommended that lawmakers should enact an appropriate state-level severance tax based on the value of the natural gas that is extracted. The panel recommends that revenue from the tax go into a Shale Gas Impact Fund to be used for continuing regional monitoring. The fund also would be used to address the impact of gas exploration and production that cannot be attributed to a specific operator. The report was careful to note, however, that there is still work to be done to determine whether natural gas production from the Marcellus Shale in Maryland can be done without unacceptable risks to public health and the environment.

VIRGINIA

NORFOLK VIRGINIAN PILOT

From Early Bird Editorial: New sewer pipe aims to avoid nasty repeat Surely the folks who live on the Lafayette River near the zoo breathed a sigh of relief last week. The Hampton Roads Sanitation District announced it would spend \$3.5 million to replace a sewer pipe that ruptured during Hurricane Irene, causing workers to pump thousands of gallons of raw sewage into the river. Residents watched workers do it but could get no answers from HRSD until The Virginian-Pilot asked what happened. The sewage oversight agency reported the spill to the state but said nothing to the people who lived closest to its effects. It turned out to be the biggest sewage spill in the region from the storm. HRSD had previously announced plans for massive repairs to aging sewer infrastructure, in part to address requirements to stop sewage spills from leaky old pipes and to reduce nutrient pollution in the Chesapeake Bay. The 62-year-old pipe that leaked in August had not been scheduled for repair or replacement under that plan. After the infusion of raw sewage into the Lafayette came to light, HRSD agreed to replace swamp grasses and oyster beds killed or damaged by the pollution. And now, it plans to address the faulty pipe that caused the problem. That pipe carries much of the sewage in central and eastern Norfolk to a treatment plant across the river near Old Dominion University. Although HRSD was slower to respond to residents of the neighborhood than it should have been, it is now taking the right steps to rectify the environmental threat. The project also gives HRSD an opportunity to place the line under public property rather than through backyards.

From Early Bird Portsmouth under consideration for sulfur factory PORTSMOUTH-- The Virginia Port Authority is quietly negotiating a deal to build a chemical plant on the Elizabeth River, a project that was rejected just six months ago in North Carolina amid public protest. PCS Phosphate, a unit of Potash Corp. of Saskatchewan, has been in talks with the Port Authority about a possible plant at Portsmouth Marine Terminal, said Tom Pasztor, a company spokesman, on Monday. The plant would melt sulfur pellets, creating molten sulfur that would be transported by ships or barges to the company's facility in Aurora, N.C. There, it would be converted into sulfuric acid and mixed with phosphate rock, creating phosphate fertilizers and other products, Pasztor said. The plant would employ about 10 people, he said. On its website, Potash calls itself the world's largest fertilizer company. It proposed building the project in Morehead City, N.C., last year, but withdrew it after a backlash from the community, which found out about the project through an environmental filing. "The project was not particularly well understood," Pasztor said. Portsmouth is one of a number of East Coast locations that PCS Phosphate is considering, Pasztor said.

NEWPORT NEWS DAILY PRESS

From Early Bird [Popularity of Hampton Roads recycling on par with rest of Virginia](#) The era of pouring used motor oil down the drain and burying car batteries in the backyard is over, and even though Virginians create millions of pounds of new trash each year, they're also more likely to recycle materials than ever before. More than 14.1 million gallons of municipal solid waste was created by Virginians and trucked to landfills in 2010, a slight decrease from the previous year, according to a recent state Department of Environmental Quality report. For the first time on record, state residents also recycled 40.5 percent of the waste they produced in 2010, according to the state report released in November. The Hampton Roads/Tidewater Area recycled 39.3 percent of the waste produced, just 1.2 percentage points behind the 201 state average. The push for greener trash habits is also coming at a time when municipal budgets are stretching to the point that some officials must decide whether to trim quality-of-life programs, such as recycling collections. For Pete Morley, Hampton's solid waste superintendent, recycling may not be the cheapest route for the city, but its one that his department is morally obligated, and mandated by the state, to perform. "We're proud that our curbside recycling program is done in-house," Morley said. "Simply put, it's good for the environment. You're finding some areas that have looked at the economics of it and said they can't do it."

LYNCHBURG NEWS AND ADVANCE

From Early Bird [Editorial: Economic Bonus From Bay Cleanup](#) Cleanup of the Chesapeake Bay has the potential of creating thousands of jobs that would boost the economies of the states that share the once pristine body of water. That was the word last week from William C. Baker, president of the Chesapeake Bay Foundation. A report issued by the foundation concluded that storm water and sewage plant upgrades intended to help nurse the Bay back to health would create nearly 250,000 jobs. The report is aimed at countering claims that restoration of the Bay by the Environmental Protection Agency would be harmful to the economy and result in job losses. "That is not borne out by the facts," said Baker. He makes a good point that could be an essential ingredient in getting the work done to restore the Bay's health. Referring to critics of the cleanup plans, Baker said, "Whether the target is EPA or the Bay pollution limits, it is essential that the public understand that environmental regulations will create jobs to reduce pollution, and sustain jobs that depend on clean water." The report, called "Debunking the 'Job Killer' Myth," uses a variety of industry experts such as engineers, reports and other sources to assess the impact of water pollution projects within the six states and the District of Columbia that comprise the Bay's 64,000-square-mile watershed.

From Early Bird [Franklin County hopes state program helps contaminated rivers](#) (Jan. 6) FRANKLIN COUNTY, VA -- There's something in the water in Franklin County and it's becoming a stinky situation. "Can lead to fish kills, can lead to health problems for people," said Allen Jackson. Jackson works for Blue Ridge Soil and Water Conservation District. He says a recent EPA report found high levels of E.coli in rivers and streams all over Franklin County. The Pigg River watershed was highlighted in the report. The report found some homes built before World War II still have what's called a "straight pipe" for waste water. "It's a pipe that goes from the house into a local water source like rivers, so any types if waste water out of sinks, toilets, showers, anything just goes straight into nearby rivers," said Jackson. The other major culprit is faulty septic systems. Thanks to some grant money, the conservation is helping pay up to half of the cost to put in a new system, or fix a leaking one. Want to know how to tell if your septic system is leaking into a local river? Well, Jackson says if you have a problem, you'll know because of the strong smell of sewage. "Drains are draining rather slowly, they might be backing up into the house, you may have issues where you starting to see sewage above ground," says Jackson of some of the other warning signs. The conservation has \$160,000 from the state to get the problem under control. Jackson says it's a big effort to keep the waterways clean in Southwest Virginia.

FREDERICKSBURG FREELANCE STAR

From Early Bird [Jobs and the bay](#) (Monday) Chesapeake Bay Foundation offers evidence that cleaning up the Bay generates jobs, doesn't kill them. WITH 45 YEARS of advocacy work behind it, the Chesapeake Bay Foundation has no higher priority than pitching the positive features of cleaning up the polluted estuary. It has been the nonprofit group's goal from the outset to show that a healthy Bay is an economic asset to recreation, tourism, and commerce. And while those who consider the associated regulations too onerous and too costly have painted Bay restoration (along with other environmental-protection projects) as "job killers," the foundation begs to differ. A new study suggests, on the contrary, that the cleanup itself creates jobs. Given the gathered evidence, this is more than just "spin" tailored to fit a Bay-hugging ideology. The foundation says those who would substantially weaken the EPA's "pollution diet" for the Bay are taking a shortsighted view that fails to acknowledge the flip side of the coin. When a dirty old power plant is forced to shut down, jobs are lost; but jobs are created--even industry officials acknowledge this--when older plants are retrofitted to be cleaner, or when modern new plants are built. With the Bay, alas, the trade-off is less stark. But that doesn't make it illusory. Cleanup critics cite an unavoidable loss of agricultural jobs as family farms face costly pollution-reduction mandates. But farmers themselves say they're willing to cooperate if promised that assistance is truly available. Likewise, home builders have boarded the job-loss bandwagon, but like other industries in this economy, they have more pressing concerns. In 2010, according to a Bloomberg/Washington Post business report, companies reported that 0.3 percent of their layoffs stemmed from "government regulations/intervention," while 25 percent were because of a drop in business demand. Cleaning up the Chesapeake, the foundation points out, requires new and improved sewage and stormwater treatment plants that generate construction jobs. Moreover, between 1990 and 2009, jobs related to environmental cleanup and pollution monitoring rose 43 percent across the region. The billions that states are spending on the cleanup pay for new technology that must be developed, as well as the wages for those who implement it.

MI SCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

From Early Bird [Justices Appear Receptive to Argument EPA Orders Can Be Reviewed](#) U.S. Supreme Court justices appear receptive to the argument that EPA wetlands compliance orders are subject to judicial review before EPA begins enforcement actions in federal court. During oral arguments in a case in which Idaho property owners challenged an order finding they violated the Clean Water Act by filling wetlands without a permit, Justice Stephen G. Breyer emphasizes that the order by its own terms was not a warning of potential liability, but rather an order to remedy violations. Justice Elena Kagan similarly asks why the presumption of review did not apply to compliance orders, and Justice Ruth Bader Ginsburg notes that the property owners asked for a hearing on the wetlands determination and were denied by EPA.

From Early Bird [EPA Slow to Complete Chemical Assessments, GAO Report Concludes](#) EPA is completing Integrated Risk Information System assessments of chemicals more slowly than it projected, a Government Accountability Office

report says. The agency also lacks a clear plan to address long-standing criticism that it does not use a standard approach to evaluate and describe the strengths and weaknesses of scientific studies used in IRIS assessments and that it does not present IRIS information concisely, GAO concludes. IRIS assessments are the agency's consensus opinion about the hazards that pollutants, pesticides, and chemicals pose to human health and the doses at which those hazards may become manifest.

BLOOMBERG NEWS SERVICE

From Early Bird Pennsylvania Fracking Foes Fault EPA Over Tainted Water Response When the U.S. Environmental Protection Agency called to say it would start delivering fresh water to their home, Ron and Jean Carter thought they gained an ally in a long fight with Cabot Oil & Gas Corp. A retreat by the federal government within two days has left them feeling abandoned yet again in a bid to clean up water they say was turned toxic by Cabot (COG)'s use of hydraulic fracturing to hunt for gas in Pennsylvania. "These agencies were developed to help us, and they don't," Jean Carter said in an interview in her home, which is about 326 feet (99 meters) from a Cabot well. Although her reserves of water are sufficient for now, she took it as a snub. "We just keep getting hurt all the way around, as if we weren't hurt enough." The Carters and other families in Dimock -- a community of 1,368 and a single, blinking traffic light along Highway 29 in northeast Pennsylvania -- have come to symbolize the national debate over the use of fracking, in which water and chemicals are shot into the earth to free gas or oil from rock formations. Their case has taken on a new importance as the EPA says it will test well water in the area, and advised residents not to drink from their wells -- reversing an earlier, initial determination that the water was safe. Dimock residents say their water went bad more than three years ago. Since then more questions have been raised about the safety of fracking.

From Early Bird Cabot Cited by Pennsylvania for Pollution From Natural-Gas Well Cabot Oil & Gas Co. (COG), the best-performer last year in the Standard & Poor's 500 Index, was cited by Pennsylvania officials in September for "improper" well construction after natural gas polluted drinking water. Inspectors found defects in the liner intended to prevent oil or gas from leaking into groundwater at a Susquehanna County well, according to a Sept. 19 notice of violation from the Pennsylvania Department of Environmental Protection. The violation was reported earlier today by the Scranton Times-Tribune. Methane levels in a private water well 1,400 feet (427 meters) away from Cabot's operations rose from 0.29 milligrams a liter to 57.6 milligrams a liter between November 2010 and August 2011, according to the notice. Cabot, based in Houston, was cited for three violations and given 30 days to respond with its plan to correct flaws at the well. The company immediately vented the household wells to eliminate risk of fire or explosion and "tightened down" its wells, George Stark, a Cabot spokesman, said in an interview today. Methane levels in the household wells fell over a period of two weeks, Stark said. "All is safe at the residences there," he said. The company isn't providing drinking water to the well owner and is still "exchanging data" with the department about the incident, he said. Cabot agreed in December 2010 to put \$4.1 million into escrow for families in Dimock, Pennsylvania, who said their drinking water was polluted by the company's oil wells, settling a claim by the Pennsylvania Department of Environmental Protection, according to a company filings.

From Early Bird Walker Says Fracking a 'Game Changer' for Pennsylvania Jan. 10 (Bloomberg) -- C. Alan Walker, secretary of community and economic development for Pennsylvania, talks with Bloomberg's Romy Varghese about the possible impact of hydraulic fracturing, also known as fracking, on the state's economy and Pennsylvania's development of its shale-gas industry. (Source: Bloomberg) (Bloomberg)

From Early Bird Shale bubble inflates on near-record prices for untested fields Surging prices for oil and gas shales, in at least one case rising 10-fold in five weeks, are raising concern of a bubble as valuations of drilling acreage approach the peak set before the collapse of Lehman Brothers Holdings Inc. Chinese, French and Japanese energy explorers committed more than \$8 billion in the past two weeks to shale-rock formations from Pennsylvania to Texas after 2011 set records for international average crude prices and U.S. gas demand. As competition among buyers intensifies, overseas investors are paying top dollar for fields where too few wells have been drilled to assess potential production, said Sven Del Pozzo, a senior equity analyst at IHS Inc.

Shale Drilling Won't Start Dangerous Quakes, U.K. Scientists Say Drilling for shale gas in the U.K. won't cause dangerous earthquakes and poses little risk to the environment given appropriate safeguards, scientists said. "Most geologists think this is a pretty safe activity," Mike Stephenson, head of energy science at the British Geological Survey, said at a briefing in London today. "We think the risk is pretty low and we have the scientific tools to tell if there is a problem."

YOUNGSTOWN VINDICATOR

From Early Bird Speaker: Process will cause 'crisis' ARLINGTON, VA. -- An Ithaca College professor doesn't want to see a halt to horizontal fracturing. She wants to see it banned. Sandra Steingraber, an ecologist and author, speaking Monday in Virginia at a shale-drilling health forum along with dozens of health-care professionals, environmental advocates and attorneys, said that fracking will not just cause an environmental crisis, but also a "human-rights crisis." The consensus, however, is that the jury is still out; there is not enough information to determine if fracking causes widespread contamination. "These things should not be causing contamination," said Dr. Bernard Goldstein of the University of Pittsburgh's Graduate School of Public Health. "We don't know if they are, but we need to find out." Fracking is the process in which chemical and sand-laced water is blasted into shale rocks thousands of feet below the ground to unlock natural gas and oil. Vertical fracking has existed for decades, but the advent of horizontal fracking has opened new doors for energy exploration. It has also left the door open regarding potential water and land contamination and air pollution. Some question the chemicals that drillers use in the fracking process. "We don't have a great handle of toxicology of fracking chemicals," said Dr. Vikas Kapil of the Agency for Toxic Substances and Disease Registry. In Ohio, drillers do not need to disclose chemicals used in fracking. Wyoming, Pennsylvania, Arkansas, Texas, Colorado, New Mexico, Montana, West Virginia, Idaho, and North Dakota have or are working to approve legislation to require such disclosure... Steingraber used Dimock, Pa. as an example of fracking gone awry. Some residents of Dimock, a small township in Northeast Pennsylvania, had their drinking water contaminated with high levels of methane after Cabot Oil & Gas began fracking in the area in 2008. Cabot shipped clean water to 12 homes for about three years before the Environmental Protection Agency deemed the water safe last November. The EPA has since said it will retest the drinking water.e.

From Early Bird Valley officials want answers about seismic events COLUMBUS -- Mahoning County Commissioner Anthony Traficanti was sitting in his office in North Lima on New Year's Eve when the earth shook. "It was like a sonic boom," he said. "I have lived in Ohio for 45 years, and that's the first time this gentleman here ever felt an earthquake." On Monday, Traficanti was among the 40 or so state, county and local officials from Youngstown and surrounding areas who traveled to central Ohio to get answers about that and other seismic events that have shaken buildings and nerves since last March. They wanted to know whether there was a definitive link between the tremors and an injection well in the vicinity, where waste fluids from oil and gas production were pumped deep underground before the state shut it down. They also quizzed representatives of various divisions within the Ohio Department of Natural Resources about precautions the state is taking to minimize the possibility of future earthquakes and environmental calamity. "We just want to deal with that and find out whether any more injection wells are put in our county," Traficanti said. The session lasted for more than

two hours and included a tour of the Ohio Earthquake Information Center, the state-run facility that serves as the focal point for studying seismic activity. Elected officials from the Youngstown area and Statehouse staffers were invited to participate by state Sen. Joe Schiavoni of Canfield, D-33rd. Other lawmakers who attended included state Reps. Ronald Gerberry of Austintown, D-59th; Sean O'Brien of Brookfield, D-65th; state Rep. Tom Letson of Warren, D-64th; and state Sen. Lou Gentile of Steubenville, D-30th. Reporters also were allowed to attend after initially being told the meeting would be closed.

ITHACA JOURNAL (NY)

From Early Bird[Concerned Citizens of Ulysses to Hold Fund-Raiser to Benefit Town](#) Trumansburg, NY -- Concerned Citizens of Ulysses (CCU) is spearheading a fund-raising effort aimed at replenishing their towns legal coffers as the battle over hydrofracking intensifies. The town is currently leading a coalition of New York State municipalities which have agreed to participate in an amicus (friend of the court) brief supporting the notion that towns exercising the right of home rule can indeed ban hydrofracking and other heavy industrial activities by enforcing local zoning laws. While solicitation is ongoing through personal appeals and mailings, CCU has also planned a benefit at the Rongovian Embassy on Jan. 29th from 4 p.m. to 8 p.m. Donations to the Town of Ulysses can be made at the door and the event is being planned as a celebration of the home rule principle as well as a way to raise some money for the continuing legal efforts. The ongoing legal work entailed in preparing and submitting amicus briefs is straining our towns legal budget, said Ken Zeserson, speaking on behalf of Concerned Citizens of Ulysses. We were very proud and pleased our town board took the bold step of banning gas drilling within our borders this past August and now that Dryden and other towns which enacted similar bans are under legal assault, we want to help the overall effort in any way we can. Contributing to the writing of the amicus brief simultaneously assists our compatriots in other towns and at the same time strengthens the likelihood our Ulysses law will prevail if a suit is brought against our town.

CNN

From Early Bird [Can a cleaner environment create jobs?](#) NEW YORK (CNNMoney) -- The tactic du jour for environmentalists trying to sell a skeptical public on tighter regulations is this: spin the thing as a job creator. Last week a Maryland-based environmental group said efforts to clean up the Chesapeake Bay would actually [create 240,000 jobs](#) over the next several years, mainly by employing people to upgrade sewage systems. In a recent report defending stricter mercury pollution limits on power plants, the Environmental Protection Agency said 8,000 more people would be needed to build and run the pollution control equipment than would be laid off as a result of older plants shutting down. Economists that aren't aligned with either industry or activist groups say that, when it comes to creating or destroying jobs, environmental regulations come out somewhere near neutral -- adding costs to industry but producing benefits in public health or other areas.

NEW YORK TIMES

From Early Bird[Drilling Critics Face a Divide Over the Goal of Their Fight](#) With a deadline looming this week for the public to weigh in on gas drilling in New York State, the antifracking movement itself has become divided over what its goal should be: securing the nation's toughest regulations, or winning an outright ban? The question is pitting brand-name organizations like the Sierra Club, the Natural Resources Defense Council and the Nature Conservancy, which are working nationwide for stringent rules, against an ever-growing universe of grass-roots groups demanding a prohibition on the kind of intensive shale gas drilling being proposed in the state. And it is reflecting the tightrope being walked by Gov. Andrew M. Cuomo between an economically potent industry and many landowners eager for drilling on one side, and on the other a movement that has become one of the most powerful environmental and citizens campaigns in state history. Whatever the result, the split among the industry critics reflects how the opposition has exponentially hardened since fracking emerged as a statewide issue in 2008. "When we started out, what we wanted was more information on what this means for New York," said Wes Gillingham, program director for Catskill Mountainkeeper, one of the first groups to focus on the issue. "No one had any thought about calling for a ban. But the more you find out about gas drilling and how it's been practiced by the industry today, the more you realize it can't be done safely. It would just be a disaster for New York State."

ASSOCIATED PRESS

From Early Bird [Obama addresses EPA staff on Tuesday, meets with Defense Secretary Leon Panetta](#) WASHINGTON — President Barack Obama will address the staff of the Environmental Protection Agency on Tuesday. The White House says the president wants to tell the EPA employees he appreciates their hard work. The president also will meet with his senior advisers in the morning and with Defense Secretary Leon Panetta in the afternoon.

From Early Bird [Uranium mining claims near Grand Canyon limited](#) WASHINGTON -- The Obama administration is banning new hard rock mining on more than a million acres near the Grand Canyon, an area known to be rich in high-grade uranium ore reserves. The decision, announced Monday by Interior Secretary Ken Salazar, hands a victory to environmental groups and some Democratic lawmakers who had worked for years to limit mining near the national park, one of the nation's most popular tourist destinations. "When families travel to see the Grand Canyon, they have a right to expect that the only glow they will see will come from the sun setting over the rim of this natural wonder, and not from the radioactive contamination that comes from uranium mining," said Massachusetts Rep. Edward Markey, senior Democrat on the House Natural Resources Committee. But congressional Republicans and industry groups opposed it, arguing that Mr. Salazar was eliminating hundreds of jobs and depriving the country of a critically important energy source. The area near the Grand Canyon contains as much as 40 percent of the nation's known uranium resources, worth tens of billions of dollars.

[Encana asks EPA to suspend fracking comment period](#) (AP) CHEYENNE, Wyo. — Encana Corp., which owns a Wyoming gas field where federal regulators suggested a link between a drilling technique and groundwater pollution, asked the U.S. Environmental Protection Agency on Monday to suspend public comment on the draft report. Gov. Matt Mead, meanwhile, was back in Cheyenne on Monday after making a secret trip to Pavillion last week to talk to locals about their well water. Encana officials say the EPA hasn't been sufficiently clear about which specific questions and topics the comments from the public, the company and government agencies are supposed to cover. The company also is seeking more of the data that went into preparing the document and has filed a Freedom of Information Act request to get it. "For us to be able to comment on the draft study to the extent that we want to and feel is appropriate, we need to have the full information and data that we requested. We feel that is very important to us to get a full response," Encana spokesman Doug Hock said. EPA officials said they were reviewing the letter.

[New Jersey may OK sewer rules making it easier to build in environmentally sensitive areas](#)

TRENTON, N.J. — The state on Monday passed legislation that could make it easier for developers to build in environmentally sensitive areas. Environmentalists had mounted a strong effort against the measure, saying it would drastically increase water pollution in spots such as the fragile Barnegat Bay and other waterways. "This dirty deal at the State House will directly result in dirty water for New Jersey residents," said Jeff Tittel, director of the New Jersey Sierra Club

environmental organization. "This bill takes the side of the builders and polluters over the people of New Jersey." The bill puts home builders above the environment, said Tim Dillingham, executive director of the American Littoral Society, a coastal advocacy group. "Once again, special interests won out in Trenton," he said. "This bill is going to place hundreds of thousands of acres at risk of development in environmentally critical areas. It will increase the pollution of New Jersey's drinking water, its bays and rivers."

AGNET

EPA Committee Completes Report on Agricultural IssuesWASHINGTON – The U.S. Environmental Protection Agency's (EPA's) federal advisory committee on agricultural issues, the Farm, Ranch, and Rural Communities Committee (FRRCC), has submitted its report to the agency on agricultural and water quality issues. The report offers recommendations on the most effective approaches for dealing with water quality issues related to agricultural production and improving water quality across the United States. It also provides suggestions for increasing support for certainty programs, increasing stewardship, and coordinating resources with USDA, land grant universities, and the farm community to support a strong partnership effort. The report emphasizes the importance of trust and the value of state programs, flexibility, and voluntary conservation practices in achieving water quality goals. It notes the willingness that the agency has shown in maintaining and advancing an open dialogue with key stakeholders on how to address agricultural nonpoint source pollution as a critical first step.

CAMPUS PROGRESS

Report: Environmental Protection Creates Jobs Environmental regulations are frequently seen as being in tension with robust employment. There is evidence, though, suggesting that environmental protection can provide economic boons, including job creation. A report [PDF] released last week by the Chesapeake Bay Foundation confronts the relationship between jobs and environmental protection and makes the case that, in many situations, pollution regulations benefit the economy. "Sweeping assertions about economic ruin caused by environmental regulations are nothing new, and many economists have concluded that there is no substance to them," reads the report. "Claims that a good quality of life demands a tradeoff between jobs and the environment have repeatedly been proven false over the last four decades." The report, provocatively titled "Debunking the 'Job Killer' Myth: How Pollution Limits Encourage Jobs in the Chesapeake Bay Region," presents a number of case studies in which increased environmental regulation led to job creation in the Chesapeake region.

WATER WORLD

EPA Releases Plans for Natural Gas Wastewater DischargesThe U.S. Environmental Protection Agency has announced its plan to assess how the hydraulic fracturing of underground formations may impact drinking water. And it set a schedule to develop standards for water produced along with natural gas from coalbed and shale formations. Congress had mandated EPA's study of hydraulic fracturing. This year the agency held a series of public meetings to receive input from interested parties. Also, the independent Science Advisory Board reviewed EPA's scientific approach. EPA will release its initial research results and study findings next year and deliver its final report in 2014. The study will examine the full cycle of water in hydraulic fracturing, from the acquisition of the water, through the mixing of chemicals and actual fracturing, to the post-fracturing stage, including its ultimate treatment and disposal. Earlier this year, EPA selected locations for five retrospective and two prospective case studies. The American Water Works Association applauded the study but Sen. James Inhofe (R-Okla.), senior Republican on the Environment and Public Works Committee, said EPA may be "cutting corners." "Even before the study was finalized, EPA was already collecting data samples at undisclosed fracking sites across the country. EPA should not have begun conducting the study without ensuring that the process is fully transparent, and in accordance with sound science," he said. Separately, EPA will develop the first national standards for wastewater produced along with natural gas. It said any water pretreatment standards would be based on economically achievable technologies. EPA Administrator Lisa Jackson said, "We can protect the health of American families and communities at the same time we ensure access to all of the important resources that make up our energy economy."